

DOE Retrospective Review Plan Report
May 2012

Agency/ Sub- agency	RIN/ OMB Control Number	Title of Initiative/ Rule/ICR	Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits (please quantify, to the extent feasible, and also specify baseline, time horizon, and affected groups)	Progress updates and anticipated accomplish- ments	Notes
DOE/GC	N/A	Request for information on reducing regulatory burden	DOE is continually engaging in review of its rules to determine whether there are burdens on the public that can be avoided by amending or rescinding existing requirements. To that end, while DOE is always open to receiving information about the impact of its regulations, it published this RFI to solicit public input.	May 15, 2012 (77 FR 28518)	This information solicitation is expected to lead to savings in costs and/or information collection burdens that will be accomplished through and quantified in future actions.	This is the second comment solicitation conducted pursuant to DOE's finalized EO 13563 Retrospective Review Plan.	

DOE/EE	1904-AB57	Proposed Energy Conservation Standards for Battery Chargers and External Power Supplies	DOE proposed amended energy conservation standards for Class A EPSs and new energy conservation standards for non-Class A EPSs and battery chargers.	Mar. 27, 2012 (77 FR 18478)	These nationwide standards would be expected to eliminate industry burden in complying with a patchwork of state standards – for publicly available information on standards development in California, see .e.g, http://www.energy.ca.gov/appliances/battery_chargers/ and http://www.energy.ca.gov/2011publications/CEC-400-2011-001/CEC-400-2011-001-SD.PDF .	DOE is considering comments on the proposed rule in determining how to proceed with establishing any final standards.	
DOE/EE	1904-AB90	Energy Conservation Standards for Residential Clothes Washers	DOE issued a direct final rule to establish amended energy conservation standards for residential clothes washers.	May 11, 2012 http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/rcw_direct_final_rule_5_14_2012.pdf	These standards were developed and submitted to DOE as a consensus agreement signed on behalf of all major manufacturers of these products, as well as energy advocates and consumer groups. DOE believes that the consensus agreement process will lead to standards that minimize manufacturer burden while reducing energy consumption and maintaining product quality for consumers.	DOE has requested comment on the direct final rule, as required by Energy Policy and Conservation Act (EPCA). DOE will consider any comments received in determining whether to affirm the direct final rule.	

DOE/EE	1904-AC64	Energy Conservation Standards for Residential Dishwashers	DOE issued a direct final rule to establish amended energy conservation standards for residential dishwashers.	May 11, 2012 http://www1.eere.energy.gov/buildings/appliance_standards/pdfs/dw_direct_final_rule_5_14_2012.pdf	These standards were developed and submitted to DOE as a consensus agreement signed on behalf of all major manufacturers of these products, as well as energy advocates and consumer groups. DOE believes that the consensus agreement process will lead to standards that minimize manufacturer burden while reducing energy consumption and maintaining product quality for consumers.	DOE has requested comment on the direct final rule, as required by EPCA. DOE will consider any comments received in determining whether to affirm the direct final rule.	
DOE/EE	1904-AC04	Energy Conservation Standards for Distribution Transformers	DOE conducted a negotiated rulemaking to develop proposed standards for distribution transformers.	77 FR 7282 (Feb. 10, 2012)	DOE was required by consent decree to publish amended standards for distribution transformers by February 1, 2012. DOE conducted a negotiated rulemaking to develop the proposed standards. DOE believes that the negotiated rulemaking process provided valuable information to DOE and led to proposed standards that minimize the burden on manufacturers and consumers of distribution transformers.	DOE is currently considering comments received on the proposed rule. DOE also held a public meeting on February 23, 2012. DOE is required by consent decree to establish any final standards by October 1, 2012.	

DOE/EE	1904-AC08	Test Procedure for Residential Clothes Washers	DOE published a final rule to amend the test procedure for clothes washers.	77 FR 13888 (Mar. 7, 2012)	In response to comments from interested parties, DOE amended the test procedures for clothes washers to, among other things, incorporate the most recent version of the applicable industry test method, provide a test method for large-capacity machines, and clarify the definition of “energy test cycle”.	DOE believes that the final test procedure will reduce manufacturer test burden by using the most recent industry test method, clarifying ambiguous provisions and providing a means to test large-capacity clothes washers. Previously, manufacturers of large-capacity units had to apply for a DOE waiver to test and market these machines.	
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DOE/EE	1910-NEW	Weatherization Assistance Program (WAP), American Recovery and Reinvestment Act of 2009 (ARRA) information collection request (ICR)	DOE is initiating this ICR to determine the effectiveness of WAP during the ARRA-period, 2009-2011.	In Progress	<p>DOE proposes to use shorter forms, pre-populate some surveys with data from previous surveys or from the Weatherization Program's online reporting data system; consolidate utility bill collection requests; and extract more information from available electronic databases directly rather than burdening grantees or subgrantees.</p> <p>Requesting utility bills and other relevant household data in electronic format will ease the reporting burden of the utilities and local agencies providing the information and will yield information in a form that is easier for the evaluation contractor to process. These steps are expected to reduce the response burden required by utilities, state and local parties.</p>	Pending E.O. 12866 review. More information is available at reginfo.gov .	
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DOE/EE	1910-5150	Energy Efficiency and Conservation Block Grant Program Status Report information collection request (ICR)	DOE proposes to eliminate monthly reporting for EECBG formula grants; remove selected data fields from the required quarterly report for EECBG formula grant recipients; and improve the user interface of PAGE, EECBG's web-based reporting system for formula grant recipients.	In progress	These steps are expected to reduce paperwork burden imposed on recipients of DOE's financial assistance.	Expected to be submitted for OMB review in Summer 2012.	
DOE/EE	1904-AC46	Alternative Efficiency Determination Methods and Alternate Rating Methods rule	DOE issued a request for information on April 18, 2011, considering the use alternative efficiency determination methods (AEDMs), such as computer modeling. On May 24, 2012, DOE issued a proposed rule to amend its existing regulations governing the use of particular methods as	In progress	If adopted, this proposal is expected to reduce testing burden and eliminate as much as \$500 million dollars of testing costs. It is particularly significant as industry has suggested that testing under the current rule could take several years to complete and undermine their research and development efforts.	DOE continues to evaluate comments received on the RFI and will hold a public meeting to receive additional input on the NOPR. The public meeting is currently scheduled for June 5, 2012.	

			alternatives to testing for the purposes of certifying compliance with the applicable energy conservation standards and the reporting of related ratings for certain consumer products and commercial and industrial equipment.				
DOE/FE		Strategic Petroleum Reserve rule	DOE is considering revisions to its regulation concerning sales from the Strategic Petroleum Reserve (SPR) in the event that the SPR is drawn down to respond to a severe energy supply interruption or to meet obligations of the United States under the International Energy Program.	In progress	This rule is expected to reduce the burden on applicants for sales from the SPR by streamlining the process for periodic review and publication of the standard contract provisions.	This rule is currently under development at DOE.	

DOE/EE		Consumer welfare and use of price forecasts made in applying learning curve analyses	DOE seeks comment in its energy conservation standards rulemakings on how to assess the potential impact of energy conservation standards on consumer choice and how to quantify any such impact in its regulatory analysis.	In progress	As required by the Energy Policy and Conservation Act (EPCA), DOE considers impacts to manufacturers and consumers, as well as other factors, in determining whether a new or amended standard achieves the maximum improvement in energy efficiency that is technologically feasible and economically justified.	DOE continues to work with OMB during review of its energy conservation standards under Executive Order 12866/13563 to determine how best to assess and quantify the potential impact of energy conservation standards on consumer choice.	
DOE/EE	1904-AC60	Federal Building Standards Rule–Update–90.1-2010	EPCA, as amended, requires DOE to update the baseline Federal energy efficiency performance standards for the construction of new Federal buildings, including commercial and multi-family high-rise residential buildings. This action	In progress.	<p>This rule is intended to establish a baseline energy efficiency standard for the construction of new Federal buildings and result in corresponding energy savings and emissions reductions.</p> <p>The standards must contain energy efficiency measures that are technologically feasible, economically justified, and meet the energy</p>	Pending E.O. 12866 review. More information is available at reginfo.gov .	

			updates the baseline Federal commercial standard to the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2010.		efficiency levels in the applicable voluntary consensus energy codes specified in EPCA. DOE will consider all comments and information received from interested parties in developing standards that meet these requirements.		
DOE/GC	1990-AA34	National Environmental Policy Act Implementing Procedures	DOE finalized changes to its existing National Environmental Policy Act (NEPA) regulations. The changes, proposed primarily for the categorical exclusions provisions, are intended to better align DOE's categorical exclusions with current activities and recent experiences, and to update the provisions with respect to current technologies and	October 13, 2011 (76 FR 63764)	Changes made by this rulemaking are expected to save the taxpayers as much as \$100 million over ten years and provide greater transparency to the public as to the NEPA standards that DOE employs in analyzing particular technologies.	More information is available at http://energy.gov/nepa/office-nepa-policy-and-compliance .	

			regulatory requirements.				
DOE/EE	1910-5156	Utility Billing information collection request (ICR)	DOE reduced the number of responses for its utility billing ICR 608,424 to 60,629. Burden hours for this ICR were reduced from 312,500 to 29,998. The cost of the ICR December 8, 2011, was reduced from \$428,000 to \$37,000.	December 8, 2011	As a result in the reduction of responses for this ICR, burden hours for this ICR were reduced from 312,500 to 29,998. The cost of the ICR was also reduced from \$428,000 to \$37,000.	More information is available at reginfo.gov .	
DOE/EE	1904-AC58	Test Procedure Compliance Date for Walk-In Coolers and Freezers and Metal Halide Ballasts and Fixtures	DOE published a final rule to, among other things: (1) clarify the compliance date by which manufacturers must use portions of the test procedure published on April 15, 2011 when certifying walk-in	October 21, 2011 (76 FR 65362)	In response to concerns raised by manufacturers, this rule clarifies when use of the amended test procedure is required to certify walk-in coolers and freezers. The rule also provides additional time before submission of certification reports is required metal halide lamp ballasts and fixtures.	The rule was issued in October 2011.	

			coolers and walk-in freezers; and (2) adopt an extension to the compliance date for which manufacturers, including importers, need to certify compliance to the Department of metal halide lamp ballasts and fixtures.				
DOE-EE	N/A	DOE Showerhead Enforcement Guidance	DOE established water conservation standards for showerheads to implement the Energy Policy Conservation Act. DOE learned that some manufacturers had misinterpreted the definition of the types of showerheads affected by the rule and therefore were manufacturing products that were out of compliance. DOE provided a two year enforcement	DOE issued the guidance on March 4, 2011, providing a 2 year enforcement grace period that ends on March 3, 2013.	Industry estimated a one-time \$400 million reduction in compliance costs to manufacturers due to the two year extension of the enforcement grace period.	Guidance is available at: http://www1.eere.energy.gov/buildings/appliance_standards/residential/pdfs/showerhead_guidance_3-4-2011.pdf	

			<p>grace period for the water conservation standards for showerheads to allow manufacturers to sell any remaining non-compliant products and to give manufacturers additional time to adjust their product designs to meet the 2.5 gpm standard.</p>				
DOE/EE	1904-AC23	<p>Energy Conservation Program: Certification, Compliance, and Enforcement for Consumer Products and Commercial and Industrial Equipment</p>	<p>DOE established an extension of compliance dates for some commercial products subject to final energy efficiency certification and enforcement rule. Commercial products affected include: commercial refrigeration equipment; commercial heating, ventilating, air-conditioning (HVAC) equipment;</p>	<p>June 30, 2011 (76 FR 38287)</p>	<p>The extension of the compliance dates is particularly significant as industry has suggested that testing under the current rule could take several years to complete and undermine their research and development efforts.</p>	<p>More information is available at http://www1.eere.energy.gov/buildings/appliance_standards/certification_enforcement.html.</p>	

			commercial water heating equipment; and automatic commercial ice makers. Manufacturers of these products and equipment are not required to certify until December 31, 2012.				
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